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U.S. Department of Homeland Security
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Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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[REDACTED]

FILE: [REDACTED]
LIN 04 266 50474

Office: NEBRASKA SERVICE CENTER

Date: JUN 07 2006

IN RE: Petitioner:
Beneficiary:

[REDACTED]

PETITION: Immigrant Petition for Alien Worker as a Member of the Professions Holding an Advanced Degree or an Alien of Exceptional Ability Pursuant to Section 203(b)(2) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(2)

ON BEHALF OF PETITIONER:

[REDACTED]

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The Director, Nebraska Service Center, denied the employment-based immigrant visa petition. The matter is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part, “[a]n officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal.”

The petitioner’s statement on the Form I-290B Notice of Appeal does not address or contest the grounds for denial. Rather, the petitioner’s statement is devoted to a request for a 90-day extension to submit a brief, and the petitioner’s reasons for requesting this extension. The petitioner states that he needs time to write up research results for publication before he will be able to turn his attention to the appeal.

The petitioner filed the appeal on November 10, 2005. Thus, the requested 90 day period ended in early March 2006. To date, seven months after the filing of the appeal, careful review of the record reveals no subsequent submission; all other documentation in the record predates the issuance of the notice of decision.

Inasmuch as counsel has failed to identify specifically an erroneous conclusion of law or a statement of fact as a basis for the appeal, the appeal must be summarily dismissed.

ORDER: The appeal is dismissed.